



06-07-03

AP.1771

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: Richard M. Gibson et al.

Serial No.: 09/851,888

Filed: May 9, 2001

Confirmation No.: 4296

For: FLAME RESISTANT AND HIGH VISIBILITY FABRIC  
AND APPAREL FORMED THEREFROM

Examiner: N. Torres Velazquez

Art Unit: 1771

Commissioner for Patents

Washington, D.C. 20231

Sir:

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JUN 05 2003  
TC 1700

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I hereby certify that this paper, which is an Amendment and Response to Office Action dated March 14, 2003 (our file no. 4500-18(24.1)), is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, DC 20231-0001.

Mailed By: Brandi A. Mitchell  
Brandi A. Mitchell



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106/01/03  
AS

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**AMENDMENT AND RESPONSE**

Responsive to the Office Action mailed March 14, 2003, Applicant submits herewith an Amendment and Response. If any additional fees for the accompanying response are required, Applicant requests that this be considered a Petition therefor. The Commissioner is hereby authorized to charge any additional fees which may be required to Deposit Account 09-0528.

IN THE CLAIMS:

Please cancel Claims 9-11 and 18-20 without prejudice or disclaimer of the subject matter thereof. Please add Claims 21-22.

Please amend the claims as follows:

- AI
1. (Amended) A fabric for use in safety apparel comprising:
    - (a) yarns consisting essentially of strands of a modacrylic material; and
    - (b) a dye applied to said fabric; and
    - (c) wherein said dyed fabric meets the American National Standard Institute standard ANSI/ISEA-107 minimum conspicuity level class requirements for occupational activities for high-visibility safety apparel and the American Society for Testing and Materials standard ASTM F-1506 for flame resistance.